

Post about these secret prisons that we have all over the world where really, basically, there is no accountability.

So my point is, if we can all agree that this is wrong, let us make it the absolute law of this land and comply with what the U.S. Army Manual says and support Senator MCCAIN in his efforts. And I hope we can do that in a bipartisan way, and I thank the gentleman.

Mr. GINGREY. Reclaiming my time, Mr. Speaker, I will simply close by recognizing the hard work and the incredible effort of Subcommittee Chairman WOLF and all of the House and Senate conferees. Reconciling differences between the two Chambers is rarely a simple task, but I believe they have once again risen to the occasion and they have produced a conference report that may not please everybody with everything, but it gets the job done by appropriately balancing our spending needs with our budget.

Mr. Speaker, the American people demand and they expect responsible spending to support law enforcement, strengthened diplomacy which builds upon our competitive edge. Today, it is my hope that we have delivered. So I ask my colleagues for their full support of the rule and this underlying bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. PETRI). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GINGREY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

PROVIDING FOR CONSIDERATION OF H.R. 1751, SECURE ACCESS TO JUSTICE AND COURT PROTECTION ACT OF 2005

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 540 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 540

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1751) to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and

their family members, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. GINGREY) is recognized for 1 hour.

Mr. GINGREY. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentlewoman from California (Ms. MATSUI), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, House Resolution 540 is a structured rule which provides 1 hour of general debate equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary. It waives all points of order against consideration of the bill. It provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary and now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. It waives all points of order against the committee amendment in the nature of a substitute.

□ 1130

It makes in order only those amendments printed in the Rules Committee report accompanying this resolution. It

provides that the amendments made in order may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent. It shall not be subject to amendment or a demand for division of the question in the House or in the Committee of the Whole. It waives all points of order against the amendments printed in the report and provides one motion to recommit with or without instructions.

Mr. Speaker, I rise today to speak on behalf of House Resolution 540 and the underlying bill, H.R. 1751, the Secure Access to Justice and Court Protection Act of 2005.

First, I want to extend my gratitude to the gentleman from Wisconsin (Chairman SENSENBRENNER) of the Committee on the Judiciary. I also would like to thank the ranking member, the gentleman from Michigan (Mr. CONYERS) as well as the gentleman from Texas (Mr. GOHMERT), the author of this important piece of legislation.

As I previously noted in my opening statement for the rule on H.R. 420, the Lawsuit Abuse Reduction Act of 2005, this past month has ushered in the passage of very meaningful and very significant legislation to reform and strengthen our courts both procedurally and substantively. Today we have an opportunity to strengthen our courts in a more literal sense by protecting them against a rising tide of violence that has harmed and claimed the lives of innocent individuals charged with enforcing and upholding our laws.

It was only a number of months ago that tragedy struck the Fulton County courthouse in Atlanta, my home State of Georgia. There, as most of America watched and sorrowfully remember, on March 13 a cold-blooded killer took the lives of four innocent people, forever robbing their families and depriving our legal system of the distinguished service of Fulton County Superior Court Judge Rowland Barnes, age 64; his court reporter, Julie Anne Brandau, age 46; Fulton County Sheriff Deputy Hoyt Teasley, age 43; and Federal agent David Wilhelm, age 40.

Mr. Speaker, law and order, not violence, should permeate our courts. Accordingly, H.R. 1751 would take important steps to deter and punish those who would exact revenge because they were caught in a criminal activity.

First, this bill will further punish any individual who would seek to influence, impede, or retaliate against a judge, a prosecutor, a law enforcement officer, or their families by increasing the penalties and providing new mandatory minimums such as 30-years-to-life mandatory minimum for kidnapping.

Additionally, each and every day men and women in law enforcement and public safety across this country proudly don their uniforms, fully recognizing that they represent their cities, States and their country; and they

proudly assume a substantial amount of personal risk to do so.

Therefore, H.R. 1751 would establish as a new category of criminal offense the killing, the attempted killing, or conspiracy to kill any public safety officer for a federally funded public agency. This legislation defines "public safety officer" as an employee or officer of the judiciary, a firefighter, a law enforcement officer, or any other State or local employee.

This bill would also crack down on the disclosure on the Internet of personal information of judges, court personnel, law enforcement and safety officers, jurors, and witnesses.

Mr. Speaker, I would also like to emphasize H.R. 1751's protections for jurors, witnesses, victims, and informants. The reality is that criminals or their associates can have the means to intimidate victims, and especially witnesses, essentially muscling them out of the courtroom. Accordingly, this bill goes a long way to ensuring the safety of witnesses and victims in order to keep their testimony in the court and keep the criminals behind bars.

This legislation expands the current framework between the United States Marshals Service and the Administrative Office of the United States Courts to facilitate consultation and cooperation in the development of security standards and requirements for our courthouses. It prohibits the possession of a dangerous weapon, including a firearm, in a Federal court facility; and it creates opportunities for State courts to improve security through discretionary Byrne grants.

Mr. Speaker, in recent debates, some of my colleagues have unfortunately called into question the importance of legal reform in this country to the point of insinuating that such reforms are not worth this House's time for consideration.

Well, Mr. Speaker, the judicial branch affects the lives of every single American and almost every aspect of American life from conception to natural death, and sometimes even after death. Therefore, I think legal reform has and will continue to be a very appropriate matter for consideration and a good use of this Congress' time, especially when we are dealing with the safety of those men and women involved with our all-important third branch of government.

Again, Mr. Speaker, I look forward to the consideration of this rule. I ask my colleagues to support it and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Georgia (Mr. GINGREY) for yielding me this time.

Mr. Speaker, the rule, H. Res. 540, will allow the House to take up legisla-

tion to protect Federal judges, court employees, safety officers, jurors, and witnesses.

Unfortunately, we are all aware of the tragic violence committed against judges and their families this year. In one case this past February, Judge Joan Lefkow, a Federal judge from Chicago, returned home to find her husband and her mother murdered. We later learned it had been a retaliation for a earlier court ruling. It is hard to comprehend such a senseless loss.

Clearly, the additional steps we are taking today are important to protect judges and their family members. H.R. 1751, the Secure Access to Justice and Court Protection Act of 2005, increases the penalty for assaulting, kidnapping or murdering a Federal judge, other public officials, and their immediate family members. Further, the bill extends these protections to jurors and witnesses.

For our judicial system to function, the authority and safety of our Federal judges must be ensured. Judges, as well as jurors, should know they are free to make unbiased and sound decisions based on the facts and the rule of law and not on the fear that they may face retaliation for a decision they hand down.

It is equally important witnesses know they will also be secure when testifying. They must know that it is safe to do the right thing and testify before a court of law. For this reason, I appreciate that the Committee on the Judiciary included grants to assist States in operating the witness protection programs.

However, I do have some significant reservations about this legislation. Included in H.R. 1751 are over a dozen new mandatory minimum penalties.

Mr. Speaker, we must protect our judges from harm without impeding their judicial independence. It is the judges and juries who have the facts of each case before them, not Congress. And it is judges and juries who should be determining the proper and appropriate punishment.

Therefore, it should not surprise Members that the Judicial Conference of the United States, the body Congress turns to for nonpartisan recommendations on our Federal judiciary, has expressed a deep opposition to mandatory minimums on more than a dozen occasions in its communications to Congress.

Mr. Speaker, mandatory minimums simply do not work. Rather, they tie the hands of our judges, not allowing them to fit the best punishment to the crime.

I look forward to the debate on these amendments and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. GINGREY. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Rules Committee.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule and the underlying legislation. I want to congratulate my friend from Georgia and my friend from California for their management of this issue.

I would like to say that the rule itself provides by a 2-1 ratio more amendments offered by Democrats than Republicans. Not every single amendment was made in order, as I see my friend, Mrs. MCCARTHY, here. I will say, as we regularly hear people say that the amendments the Democrats proposed are not given an opportunity to be heard on the floor, by a 2-1 margin, Mr. Speaker, we are seeing amendments made in order by Democrats over Republicans.

Specifically to the concern I know will be raised by the gentlewoman from New York (Mrs. MCCARTHY), we frankly upstairs had been under the impression that the language that she and the gentleman from Michigan (Mr. DINGELL) had proceeded through consideration, and I was wrong on that. I had gotten some incorrect information.

But I have talked with staff members of the Judiciary Committee; and I have an assurance, and while I know this amendment will not be made in order today, when it comes to looking at background checks and the history of individuals, this is a priority that the committee will put forward. They have assured me that they will proceed with hearings on this issue. I would like to say to my friend from New York who will raise concerns about this that is a priority that we have and we hope very much to address it.

Mr. Speaker, I would like to take a few minutes to talk about the legislation itself. I would like to begin by congratulating Chairman SENSENBRENNER and the gentleman from Texas (Mr. GOHMERT), who as a former judge is obviously concerned about the threats that have been out there for his former colleagues. I believe it is very important, when we think about the importance of the rule of law, which is absolutely essential, absolutely essential for the success of liberty, ensuring the safety of these judges who have continued to face threats, is very, very important for us to do.

Last night in the Rules Committee, our colleague from Texas (Mr. SESSIONS) referred to his father who was a judge, and as we all know, former director of the Federal Bureau of Investigation. He talked about those threats. He told me repeatedly about the threats that existed. This legislation, I believe, that Mr. GOHMERT has put together will go a long way towards addressing that concern.

I would like to talk about a very important provision that is included in this bill that enjoys strong bipartisan support. One of the serious problems with which we are all dealing is the issue of illegal immigration and the

problem we have of people who are in this country. We know 98 percent of them are here to simply feed their families, but we know there are people here in this country who perpetrate crime against our fellow citizens. We know there continues to be the existence of a threat that a terrorist could come here. We know that Mohammed Atta, one of those who flew a plane into the World Trade Center Tower on September 11, 2001, was, in fact, here illegally. So as we look at the issue of illegal immigration, focusing on criminals and potential terrorists is a very high priority.

One of the worst days for law enforcement in the Los Angeles County Sheriff's Department was April 29, 2002. That is 3½ years ago. On that day, Deputy Sheriff David March was on patrol. He pulled over for a traffic violation an individual who ended up putting a gun to Deputy March's head and brutally killing him.

□ 1145

The alleged killer, Armando Garcia, fled to Mexico, and it has been 3½ years, and we have not resolved that case.

Within just a few weeks of that April 29 killing in 2002, upstairs in the Rules Committee I convened a meeting of my colleagues, BUCK McKEON, who represented the March family; KEN CALVERT, who was very involved in this issue and concerned about it. On the other side of the aisle, HOWARD BERMAN and ADAM SCHIFF, and we also had at that meeting, Mr. Speaker, representatives from the Mexican Embassy's judicial department within the embassy here; and we also had representatives from our Department of Justice.

Now, our concern has been a terrible provision that exists in Mexican law. It is actually constitutional, saying that the Mexican Government refuses to extradite a criminal who potentially could face the death penalty, and this is something that has existed for a long period of time. Something that was very unfortunate was that in September of 2001, the Mexican Supreme Court took steps to say that they refused to extradite an alleged criminal to a country or a state or a jurisdiction that had life imprisonment as the punishment because they considered that to be cruel and unusual punishment.

Mr. Speaker, it is horrible that they have that policy, and we need to do everything we can to change that policy. We need to encourage the Mexican Government to change that policy. Why? This does not have to do with something that took place in their country. It has to do with a crime perpetrated on U.S. soil. So I believe the Mexican Government should, in fact, extradite an alleged criminal who has perpetrated a crime here in the United States to face the punishment in the jurisdiction where the crime was perpetrated.

So what has happened here, Mr. Speaker, is that we want to ensure that

we never see happen again what happened on April 29, 2002. And I should add that is not the only instance. We all know of many other instances where law enforcement officers have been killed and people have fled the country. But this case has become a very prominent one.

So I was approached by Los Angeles County Sheriff Lee Baca, and I was joined by my colleague Mr. SCHIFF, who serves on the Judiciary Committee; and we were asked to introduce legislation that would make it a Federal crime to kill a law enforcement officer and flee the country. We spent a great deal of time working with a wide range of organizations, and we have put together a package which I believe can allow us to do that without impinging on the local jurisdiction that we believe district attorneys should have in dealing with this issue. It does not in any way diminish the level of punishment. But what it does do, Mr. Speaker, is it puts the full force of the Federal Government behind an effort to ensure that we do not have happen again what happened on April 29 of 2002.

One of the things that I believe is important is to recognize that there are families that have suffered, and I have had the opportunity, through Sheriff Baca and through others, to get to know the family members of Deputy Sheriff David March. So, Mr. Speaker, H.R. 3900 is the legislation that ADAM SCHIFF and I introduced, and it is included as part of this very important court security measure that Mr. GOHMERT has offered, and I would like to name the provisions that are included calling for making it a Federal crime to kill a law enforcement officer in the name of Deputy Sheriff David March. And I spoke with Sheriff Lee Baca this morning about that, and I really feel that we are doing this in the name of David March to keep the memory of his life alive, the memory alive so that we can send a signal that we are not going to tolerate this kind of act in the future.

So, Mr. Speaker, we have here, again, a very important measure included in critical must-pass legislation, and I hope that my colleagues will join in providing bipartisan support for this measure.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I am very happy to hear from my colleague from California explaining the move last night on not allowing my amendment to be put forth; and I hope that, working with him and certainly Mr. SENSENBRENNER on the Judiciary Committee, we can move this bill forward.

H.R. 1751 goes to great lengths to punish those who commit violence in our courthouses, and rightly so. However, this bill falls short when it comes

to preventative measures that would stop these senseless attacks from happening in the first place.

As was mentioned, last night I offered such an amendment in the Rules Committee. It would automate the court records into the National Institute Background Check System so recently convicted individuals could not buy a gun. The reason we want to do that, basically, is if a person is convicted and still not going straight to jail to prevent them from going out and buying a gun and coming back and doing harm, whether it is to a judge, a family, or a court officer.

Many State courts fail to enter this data into the NICS System in a timely manner, if at all. For example, the subject of a restraining order stemming from spousal abuse can leave the courthouse, go to a gun store, make a purchase, and seek revenge on the court officers.

My amendment would require that court rulings be immediately entered into the NICS System. It would provide grants to State courts that do not have the resources to comply. But my amendment was the only amendment not to be accepted by the Rules Committee, and we heard that wrong information had been given to Mr. DREIER, and I accept that. Those things happen.

All of us here want to save lives. I mean, that is what we want to do. We want to protect our men and women in uniform. We want to protect our court officers, our judges. This amendment certainly could have helped that. It would have made a good bill, in my opinion, a better bill.

So with that I hope that we will be here down the road soon, be able to offer my full bill because, again, this does not infringe on second amendment rights. It is there to protect people. It is there to save lives, and that is my goal.

Ms. MATSUI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GINGREY. Mr. Speaker, I would like to close in celebration of the men and women who put their lives on the line every day, whether by working the beat, extinguishing a four-alarm fire, or ensuring equal justice under the law by means of the gavel.

As I mentioned earlier, when these individuals put on their uniforms, they become representatives of the community in service of the community. They are not enforcing their own will; but they are, rather, seeking guidance from and working to uphold the laws of the land.

Mr. Speaker, while there are some individuals who are occasionally accused of abusing their power, the vast majority, the vast majority, of these civil servants are only doing their job admirably; and, therefore, there is absolutely no justification for an accused or guilty individual to ever attach their anger to or seek revenge against these individuals who are only doing their duty.

Unfortunately, the increase of violent activities against judges, and we talked about that here during this hour, court officers, witnesses, victims, and law enforcement has made this bill not only necessary but also a top priority in the preservation of our system of law and justice.

Mr. Speaker, I look forward to the discussion of H.R. 1751 and the numerous amendments this rule has made in order. As always, I urge my colleagues to support the rule and the underlying bill.

Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. PETRI). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GINGREY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

House Resolution 539, by the yeas and nays;

House Resolution 538, by the yeas and nays;

House Resolution 540, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2419, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 539 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 412, nays 2, not voting 19, as follows:

[Roll No. 577]

YEAS—412

Abercrombie	Allen	Baker
Ackerman	Andrews	Baldwin
Aderholt	Baca	Barrett (SC)
Akin	Bachus	Barrow
Alexander	Baird	Bartlett (MD)

Barton (TX)	Everett	Latham
Bass	Farr	LaTourette
Bean	Fattah	Leach
Beauprez	Feeney	Lee
Becerra	Ferguson	Levin
Berry	Filner	Lewis (CA)
Biggett	Fitzpatrick (PA)	Lewis (GA)
Bilirakis	Flake	Lewis (KY)
Bishop (GA)	Foley	Linder
Bishop (NY)	Forbes	Lipinski
Bishop (UT)	Ford	LoBiondo
Blackburn	Fortenberry	Lofgren, Zoe
Blunt	Fox	Lowey
Boehlert	Frank (MA)	Lucas
Boehner	Franks (AZ)	Lungren, Daniel
Bonilla	Frelinghuysen	E.
Bonner	Gallely	Lynch
Bono	Garrett (NJ)	Mack
Boozman	Gerlach	Maloney
Boren	Gibbons	Manzullo
Boucher	Gilchrest	Marchant
Boustany	Gillmor	Markey
Boyd	Gingrey	Marshall
Bradley (NH)	Gohmert	Matheson
Brady (PA)	Gonzalez	Matsui
Brady (TX)	Goode	McCarthy
Brown (OH)	Goodlatte	McCaul (TX)
Brown (SC)	Gordon	McCollum (MN)
Brown, Corrine	Granger	McCotter
Burgess	Graves	McCrery
Burton (IN)	Green (WI)	McDermott
Butterfield	Green, Al	McGovern
Buyer	Green, Gene	McHenry
Calvert	Grijalva	McHugh
Camp	Gutierrez	McIntyre
Cannon	Gutknecht	McKeon
Cantor	Hall	McKinney
Capito	Harman	McMorris
Capps	Harris	McNulty
Capuano	Hart	Meehan
Cardin	Hastings (WA)	Meek (FL)
Cardoza	Hayes	Meeks (NY)
Carnahan	Hayworth	Melancon
Carson	Hefley	Menendez
Carter	Hensarling	Mica
Case	Herger	Michaud
Castle	Herse	Miller (FL)
Chabot	Higgins	Miller (MI)
Chandler	Hinchey	Miller (NC)
Chocola	Hinojosa	Miller, Gary
Clay	Hobson	Miller, George
Cleaver	Hoekstra	Mollohan
Clyburn	Holden	Moore (KS)
Coble	Holt	Moore (WI)
Cole (OK)	Honda	Moran (KS)
Conyers	Hooley	Moran (VA)
Cooper	Hostettler	Murphy
Costa	Hoyer	Murtha
Costello	Hulshof	Musgrave
Cramer	Hunter	Myrick
Crenshaw	Hyde	Nadler
Crowley	Inglis (SC)	Napolitano
Cubin	Inslie	Neal (MA)
Cuellar	Israel	Neugebauer
Culberson	Issa	Ney
Cummings	Istook	Northup
Cunningham	Jackson (IL)	Nunes
Davis (AL)	Jackson-Lee	Nussle
Davis (CA)	(TX)	Oberstar
Davis (IL)	Jefferson	Obe
Davis (KY)	Jenkins	Oliver
Davis (TN)	Jindal	Ortiz
Davis, Jo Ann	Johnson (CT)	Osborne
Davis, Tom	Johnson (IL)	Otter
Deal (GA)	Johnson, E. B.	Owens
DeFazio	Johnson, Sam	Oxley
DeGette	Jones (NC)	Pallone
DeLauro	Kanjorski	Pascarell
DeLay	Kaptur	Pastor
Dent	Keller	Paul
Diaz-Balart, M.	Kelly	Payne
Dicks	Kennedy (MN)	Pearce
Dingell	Kennedy (RI)	Pelosi
Doggett	Kildee	Pence
Doolittle	Kind	Peterson (MN)
Doyle	King (IA)	Peterson (PA)
Drake	King (NY)	Petri
Dreier	Kingston	Pickering
Duncan	Kirk	Pitts
Edwards	Kline	Platts
Ehlers	Knollenberg	Poe
Emanuel	Kolbe	Pombo
Emerson	Kucinich	Pomeroy
Engel	Kuhl (NY)	Price (GA)
English (PA)	LaHood	Price (NC)
Eshoo	Langvin	Pryce (OH)
Etheridge	Lantos	Putnam
Evans	Larsen (WA)	Radanovich
	Larson (CT)	Rahall

Ramstad	Scott (VA)	Thornberry
Rangel	Sensenbrenner	Tiahrt
Regula	Serrano	Tiberi
Rehberg	Sessions	Tierney
Reichert	Shadegg	Towns
Renzi	Shaw	Udall (CO)
Reyes	Shays	Udall (NM)
Reynolds	Sherman	Upton
Rogers (AL)	Sherwood	Van Hollen
Rogers (KY)	Shinkus	Velázquez
Rogers (MI)	Shuster	Visclosky
Rohrabacher	Simmons	Walden (OR)
Ros-Lehtinen	Simpson	Wamp
Ross	Skelton	Wasserman
Rothman	Slaughter	Schultz
Roybal-Allard	Smith (NJ)	Waters
Royce	Smith (TX)	Watson
Ruppersberger	Smith (WA)	Watt
Rush	Snyder	Waxman
Ryan (OH)	Sodrel	Weiner
Ryan (WI)	Souder	Weldon (FL)
Ryun (KS)	Spratt	Weldon (PA)
Sabo	Stark	Weller
Salazar	Stearns	Westmoreland
Sánchez, Linda	Stupak	Wexler
T.	Sullivan	Whitfield
Sanchez, Loretta	Tancred	Tancred
Sanders	Tanner	Wicker
Saxton	Tauscher	Wilson (NM)
Schakowsky	Taylor (MS)	Wilson (SC)
Schiff	Taylor (NC)	Wolf
Schmidt	Terry	Woolsey
Schwartz (PA)	Thomas	Wu
Schwarz (MI)	Thompson (CA)	Wynn
Scott (GA)	Thompson (MS)	Young (AK)

NAYS—2

Berkley

Porter

NOT VOTING—19

Berman	Diaz-Balart, L.	Norwood
Blumenauer	Fossella	Solis
Boswell	Hastings (FL)	Strickland
Brown-Waite,	Jones (OH)	Sweeney
Ginny	Kilpatrick (MI)	Turner
Conaway	Millender-	Walsh
Davis (FL)	McDonald	Young (FL)

□ 1220

Ms. VELÁZQUEZ changed her vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 577 on H. Res. 539 I was unavoidably detained. Had I been present, I would have voted “yea.”

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2862, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore (Mr. ISSA). The pending business is the vote on adoption of House Resolution 538 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 23, as follows:

[Roll No. 578]

YEAS—410

Abercrombie	Allen	Baker
Ackerman	Andrews	Baldwin
Aderholt	Baca	Barrett (SC)
Akin	Bachus	Barrow
Alexander	Baird	Bartlett (MD)